

United States District Court
Southern District of Texas
FILED

DEC 14 2010

, David J. Bradley, Clerk of Court

EXHIBIT A

Robert Fling

From: Robert Fling [robert@flinglaw.com]
Sent: Thursday, December 09, 2010 8:49 AM
To: 'cmA679@txs.uscourts.gov'
Subject: Case No. 09-38857
Attachments: Order Show Cause.pdf

Case Manager of the United States Bankruptcy Court – Judge Jeff Bohm,

I have received the attached Order to Show Cause. I would like to inform the court that my failure to appear at the November 4, 2010 pretrial conference was not intentional. The electronic notices forwarded to the court were sent to a personal email address (rfiling2@yahoo.com) rather than my law office email address below. I do not know why the notices were sent to the personal address, the personal address was used a few years ago while I was between firms. I thought the address was changed a couple of years ago. It may be that the address was changed in my Federal Court account but not my Bankruptcy Court account. I do not often practice in front of the Bankruptcy or Federal Court, I occasionally represent a construction creditor in Bankruptcy Court.

Regardless, I did not receive the electronic notices because they went into an email account that receives mostly junk mail. I did not receive notice of the hearing until I received letters from the debtor's attorney. I apologize to the court for the inconvenience caused by my failure to appear. I would like to appear at the show cause hearing and explain my absence to the court. I am concerned that the debtors counsel will seek additional attorney fees for his appearance at the hearing. I have tried to contact Mr. Fuqua by telephone but he has not returned my call.

I would like to pay the \$500.00 award of attorney fees into the registry of the court until the court hears my explanation of my absence. Could you provide me with instructions related to submitting the fee to the court.

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